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January 10, 2005

Recipient: Examiner Ashutosh Upreti **Company:** USPTO

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Message:
In re: Marcelpail *et al.* Confirmation No.: 2510
Appl No.: 09/957,446 Group Art Unit: 2623
Filed: September 19, 2001 Examiner: Upreti, Ashutosh
For: METHOD FOR QUANTITATIVE VIDEO-MICROSCOPY AND
ASSOCIATED SYSTEM AND COMPUTER SOFTWARE PROGRAM PRODUCT

Please see the attached Response to Restriction Requirement (2 pages) in reference to the above-identified U.S. patent application.

Number of Pages: (including cover page)

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Attorney's Docket No. 035735/207206

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Marcelpoil *et al.* Confirmation No.: 2510
Appl No.: 09/957,446 Group Art Unit: 2623
Filed: September 19, 2001 Examiner: Upreti, Ashutosh
For: METHOD FOR QUANTITATIVE VIDEO-MICROSCOPY AND ASSOCIATED
SYSTEM AND COMPUTER SOFTWARE PROGRAM PRODUCT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated December 9, 2004, in which the Examiner has required restriction between Group I, namely Claims 1-90 and Group II, namely Claims 91-100. Applicants hereby provisionally elect with traverse to prosecute the claims of Group I (Claims 1-90, drawn to use of a color image acquisition device in a video microscopy system to determine an amount of at least one molecular specie) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Appl No.: 09/957,446
Amdt. dated 01/10/2005
Reply to Restriction Requirement of December 9, 2004

Respectfully submitted,

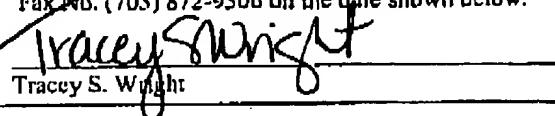


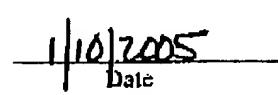
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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at
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Tracey S. Wright

1/10/2005
Date